

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
ROBERT SCOT BUILDING VENTURE LLC and :
RSBV PATHWAY LLC, :

Plaintiffs, :

v. :

CREATIVE WEALTH MEDIA FINANCE CORP. :
and JASON CLOTH, :

Defendants. :
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Case No: 1:22-cv-10329

**DECLARATION OF
JASON CLOTH**

I, **JASON CLOTH**, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am over 18 years of age, of sound mind, and otherwise competent to make this Declaration. I am a defendant in this lawsuit and a managing partner of defendant Creative Wealth Media Finance Corp. (“Creative Wealth”). I respectfully submit this Declaration in support of my and Creative Wealth’s motion to dismiss this lawsuit. The information in this declaration is based upon my personal knowledge and/or the books and records of Creative Wealth.

2. I live in Toronto, Canada. I have never owned any real estate or maintained a bank account in New York.

3. Creative Wealth is a Canadian corporation with its main office in Toronto, Canada and its bank accounts in Canada. It has never had any offices, employees or bank accounts in New York, and it has never owned any real estate in New York.

4. Attached hereto as Exhibit A is a true and correct copy of a document titled, “Term Sheet, Financing for Motion Picture Project Entitled ‘Ghostbusters’ (the ‘Picture’),” dated as of July 29, 2019, and a document titled, “Participation Agreement,” dated November 11, 2019.

5. Attached hereto as Exhibit B is a true and correct copy of a document titled, “Term Sheet, Financing for Motion Picture Project Entitled ‘Monkey Man’ (the ‘Picture’),” dated as of January 14, 2020, and a document titled, “Creative Wealth Media Finance Corp., Participation Agreement,” dated March 6, 2020.

6. Attached hereto as Exhibit C is a true and correct copy of a document titled, “Term Sheet, Financing for BRON Digital Series Entitled ‘Gossamer’ (the ‘Project’),” dated as of April 21, 2020, and a document titled, “Creative Wealth Media Finance Corp., Participation Agreement,” dated July 28, 2020.

7. Attached hereto as Exhibit D is a true and correct copy of a document titled, “Term Sheet, Financing for BRON Digital Series Entitled ‘Hailey and The Hero Heart’ (the ‘Project’),” dated as of April 21, 2020, and a document titled, “Creative Wealth Media Finance Corp., Participation Agreement,” dated July 24, 2020.

8. Attached hereto as Exhibit E is a true and correct copy of a document titled, “Term Sheet, Financing for BRON Digital Series Entitled ‘Hailey and The Hero Heart’ (the ‘Project’),” dated as of April 21, 2020, and a document titled, “Creative Wealth Media Finance Corp., Participation Agreement,” dated March 1, 2021.

9. Attached hereto as Exhibit F is a true and correct copy of a document titled, “Term Sheet, Financing for BRON Digital Series Entitled ‘Bubbles Hotel’ (the ‘Project’),” dated as of May 2020, and a document titled, “Creative Wealth Media Finance Corp., Participation Agreement,” dated July 24, 2020.

10. Attached hereto as Exhibit G is a true and correct copy of a document titled, “Term Sheet, Financing for BRON Digital Series Entitled ‘Bubbles Hotel’ (the ‘Project),” dated as of May 2020, and a document titled, “Creative Wealth Media Finance Corp., Participation Agreement,” dated March 1, 2021.

11. Attached hereto as Exhibit H is a true and correct copy of a document titled, “Term Sheet, Financing for Animated Trilogy Entitled ‘Young Bear Grylls’ (the ‘Project),” dated as of May 4, 2020, and a document titled, “Creative Wealth Media Finance Corp., Participation Agreement,” dated July 13, 2020.

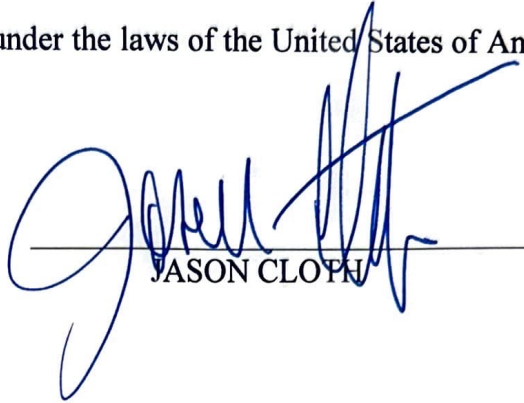
12. Attached hereto as Exhibit I is a true and correct copy of a document titled, “Term Sheet, Financing for BRON Digital Series Entitled ‘Fables’ (the ‘Project),” dated as of April 17, 2020, and a document titled, “Creative Wealth Media Finance Corp., Participation Agreement,” dated March 1, 2021.

13. Attached hereto as Exhibit J is a true and correct copy of a document titled, “Term Sheet, Financing for BRON Digital Series Entitled ‘Fables’ (the ‘Project),” dated as of July 24, 2020, and a document titled, “Creative Wealth Media Finance Corp., Participation Agreement,” dated July 28, 2020.

14. Attached hereto as Exhibit K is a true and correct copy of a document titled, “Term Sheet Memo, Financing for the First Season of the Series Entitled ‘Pathway’ (the ‘Project),” dated as of May 19, 2021 (excluding Schedules C and D thereto, which include a budget and estimated financial recoveries).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on February 8, 2023



JASON CLOPH